

# Notice of Allowability

Application No.

10/614,561

Examiner

Jennifer E. Novosad

Applicant(s)

MACKELVIE, WINSTON RICHARD

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amdt. of July 27, 2004 and the telephone discussion of August 23, 2004.
2. ☒ The allowed claim(s) is/are 34-51.
3. ☒ The drawings filed on 07 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 8/24/04.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Winston McKelvie on August 23, 2004.

The application has been amended as follows:

1-33. (canceled)

34. (currently amended) In combination, a hanging file system and a plurality of disc shaped members, said hanging file system comprising:

a container having a pair of parallel rails extending between opposed sides thereof;

a continuous web of a flexible sheet material having a pair of opposed side marginal edges;

~~said web been sealed to itself at regular interval to thereby provide a plurality of channels extending between said pair of opposed side marginal edges, said channels being open at said opposed side marginal edges;~~

~~a hanger strip mounted within each of said channels, each of said hanger strips supporting said web at regular intervals and~~ having end portions extending beyond respective side marginal edges of said web, said end portions being supported by said parallel rails; and

a plurality of file pockets being formed by portions of said web between said ~~channels~~ hanger strips, each file pocket having a first sidewall, a second sidewall and a bottom portion, an aperture being formed in each of said bottom portions, each of said

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apertures being spaced substantially equally from each of said side marginal edges. ~~The arrangement being~~ such that each of said disc shaped members is retained in position within a file pocket by said apertures formed in said bottom portions.

35. (previously presented) The hanging file system of claim 34 wherein each of the apertures has a configuration selected from generally circular and generally elliptical configurations.

36. (currently amended) The hanging file system of claim 34 wherein each of the hanger strips has a notch formed in an underside of said end portions, said notches seating on respective ones of said parallel rails.

37. (previously presented) The hanging file system of claim 34 wherein said web of flexible material comprises a web of transparent plastic film.

38. (currently amended) The hanging file system of claim 34 further including labeling means on each of said hanger strips.

39. (previously presented) The hanging file system of claim 34 wherein said pair of parallel rails are formed by upperside marginal edges of said container.

40. (new) A hanging file system comprising:

a container having a pair of parallel rails extending between opposed sides thereof; a continuous web of a flexible sheet material having a pair of opposed side marginal edges; said web being sealed to itself at regular spaced intervals to thereby provide a plurality of channels extending between said pair of opposed side marginal edges, said channels being open at said opposed side marginal edges,

a hanger strip mounted within each of said channels, each of said hanger strips having end portions extending beyond respective side marginal edges of said web, said end portions being supported by said parallel rails; and

a plurality of file pockets being formed by portions of said web between said channels, each file pocket having a first sidewall, a second sidewall and a bottom portion, an aperture being formed in each of said bottom portions, each of said apertures being spaced substantially equally from each of said side marginal edges.

41. (new) The hanging file system of claim 40 wherein the hanger strips are removably mounted within said channels.

42. (new) The hanging file system of claim 40 wherein each of the apertures has a configuration selected from generally circular and generally elliptical configurations.

43. (new) The hanging file system of claim 40 wherein each of the hanger strips has a notch formed in an underside of said end portions, said notches seating on respective ones of said parallel rails.

44. (new) The hanging file system of claim 40 wherein said web of flexible material comprises a web of transparent plastic film.

45. (new) The hanging file system of claim 40 further including labeling means on each of said hanger strips.

46. (new) The hanging file system of claim 40 wherein said pair of parallel rails are formed by upperside marginal edges of said container.

47. (new) The hanging file system of claim 40 wherein said web is sealed to itself by heat sealing.

48. (new) A hanging file structure for use with parallel rails, the hanging file structure comprising:

- a continuous web of a flexible sheet material having a pair of opposed side marginal edges;

- hanger strips supporting said web at regular intervals and having end portions extending beyond respective side marginal edges of said web, whereby the hanger strips are adapted to be supported by the rails; and

- a plurality of file pockets being formed by portions of said web between said hangers, each file pocket having a first sidewall, a second sidewall and a bottom portion, an aperture being formed in each of said bottom portions, each of said apertures being spaced substantially equally from each of said side marginal edges.

49. (new) The hanging file structure of claim 48 wherein each of the apertures has a configuration selected from generally circular and generally elliptical configurations.

50. (new) The hanging file structure of claim 48 wherein said web of flexible material comprises a web of transparent plastic film.

51. (new) The hanging file system of claim 48 wherein each of the hanger strips has a notch formed in an underside of said end portions.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer E. Novosad whose telephone number is (703)-305-2872. The examiner can normally be reached on Monday-Thursday, 5:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on (703)-308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer E. Novosad/jen  
August 24, 2004



Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600